

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ELLENBY TECHNOLOGIES, INC.,

Plaintiff,

v.

TIDEL ENGINEERING, L.P.,

Defendant.

Civil Action No. 4:16-cv-357

JURY TRIAL DEMANDED

**JOINT MOTION TO EXTEND DEADLINE FOR
RULE 26(F) REPORT AND PROPOSED CASE MANAGEMENT ORDERS**

In compliance with the Court's recent Order Governing Proceedings (Dkt. No. 15), Plaintiff Ellenby Technologies, Inc. ("Ellenby") and Defendant Tidel Engineering, L.P. ("Tidel") held their Federal Rule of Civil Procedure 26(f) attorney conference prior to September 6, 2016. The parties, however, are still in the process of meeting-and-conferring on proposals for a Scheduling Order, ESI Protocol, and Protective Order. To facilitate this process and reduce the number of potential disputes before the Court at the upcoming Rule 26 Conference, the parties jointly move for a brief extension to submit their Rule 26(f) report and proposed case management orders up to and including September 27, 2016.

A proposed order is attached for the Court's convenience.

Dated: September 20, 2016

Respectfully submitted,

FISH & RICHARDSON P.C.

/s/ Michael A. Bittner

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**Attorneys for Defendant Tidel Engineering,
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 20, 2016, to all opposing counsel of record.

/s/ Michael A. Bittner

Michael A. Bittner